

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STEFANO GRANATA, JUDSON THOMAS, COLBY
CANNIZZARO, CAMERON PROSPERI, THE GUN
RUNNER, LCC, and FIREARMS POLICY COALITION,
INC.,

Plaintiffs,

v.

MAURA HEALEY, in her official capacity as Attorney
General of Massachusetts, and THOMAS TURCO, in his
official capacity as Secretary of Executive Office of Public
Safety and Security of Massachusetts,

Defendants.

CIVIL ACTION
NO. 1:21-CV-10960-RWZ

**ASSENTED-TO MOTION BY DEFENDANTS
FOR AN EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING**

Pursuant to Federal Rule of Civil Procedure 6(b)(1), the Defendants, Attorney General Maura Healey in her official capacity as the Attorney General of Massachusetts, and Thomas Turco, in his official capacity as Secretary of the Executive Office of Public Safety and Security, move to extend the time to file their responsive pleading until, and including, August 20, 2021. Plaintiffs have assented to the allowance of this motion.

In support of their motion, the Defendants state as follows:

1. In this action, Plaintiffs bring claims challenging the Massachusetts Approved Firearms Roster and related regulations under the United States Constitution's Second Amendment.

2. Undersigned counsel has been assigned to represent both Attorney General Maura Healey and Secretary Thomas Turco in this matter.

3. Plaintiffs served Attorney General Healey on June 16, 2021.

4. To undersigned counsel's knowledge, as of June 30, 2021, Secretary Turco has not been served.

5. Pursuant to Federal Rule of Civil Procedure 12(a)(1), the deadline for Attorney General Healey to file a responsive pleading is July 7, 2021. The deadline for Secretary Turco to file a responsive pleading would be 21 days after service of the summons and complaint.

6. To facilitate the filing of a single responsive pleading and due to undersigned counsel's conflicting responsibilities, additional time is needed to prepare a responsive pleading to Plaintiffs' claims.

7. Undersigned counsel AAG Fischer-Groban is out of the office from July 2 through July 5, 2021. In addition, AAG Fischer-Groban is preparing final proposed findings of fact and conclusions of law and other materials, due July 14, in *Alliance for Automotive Innovation v. Healey*, D. Mass., Docket No. 1:20-cv-12090-DPW, with a hearing in that matter scheduled for July 21, 2021. AAG Fischer-Groban is also preparing an opposition to a motion for partial summary judgment, due July 16, in *Glynn v. Kershaw*, Suffolk Superior Court, Docket No. 1984CV02243.

8. AAG Gohlke is out of the office from July 2 through July 6, 2021. In addition, AAG Gohlke is preparing a reply brief in support of the Commonwealth's motion to dismiss, due July 14, in *Barry v. Massachusetts State Police*, Suffolk Superior Court, Docket No. 2184CV00859. AAG Gohlke is also preparing an opposition to a motion for partial summary judgment, due July 16, in *Glynn v. Kershaw*, Suffolk Superior Court, Docket No. 1984CV02243. Further, AAG Gohlke is preparing a cross-motion for judgment on the pleadings, due July 30, in *Bandy v. Board of Appeal*, Worcester Superior Court, Docket No. 2085CV01229.

9. The Court has not yet calendared a scheduling conference pursuant to Local Rule 16.1. Allowance of this motion will not delay the progress or disposition of the case.

WHEREFORE, Defendants respectfully request that the time within which they must file and serve their responsive pleading be extended to, and including, August 20, 2021.

Respectfully submitted,

MAURA HEALEY, ATTORNEY GENERAL,
and SECRETARY THOMAS TURCO,

By their attorneys,

/s/ Phoebe Fischer-Groban

Phoebe Fischer-Groban, BBO No. 687068
Grace Gohlke, BBO No. 704218 (*admission
pending*)

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Dated: June 30, 2021

CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that, on June 28, 2021, I conferred with counsel for the Plaintiffs, Richard Chambers. He represented that the Plaintiffs assent to this motion.

/s/ Phoebe Fischer-Groban

Phoebe Fischer-Groban
Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that this document filed through the CM/ECF system will be sent electronically to registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on June 30, 2021.

/s/ Phoebe Fischer-Groban

Phoebe Fischer-Groban
Assistant Attorney General